

**UNITED STATES DISTRICT COURT
District of Maine**

**ORDER AFFIRMING THE
RECOMMENDED DECISION OF THE MAGISTRATE JUDGE**

The United States Magistrate Judge filed with the Court on May 25, 2012, her Recommended Decision (ECF No. 543). Movant filed his Objection to the Recommended Decision (ECF No. 544) on June 4, 2012.

I have reviewed and considered the Magistrate Judge's Recommended Decision, together with the entire record; I have made a de novo determination of all matters adjudicated by the Magistrate Judge's Recommended Decision; and I concur with the recommendations of the United States Magistrate Judge for the reasons set forth in her Recommended Decision, and determine that no further proceeding is necessary.

1. It is therefore **ORDERED** that the Recommended Decision of the Magistrate Judge is hereby **AFFIRMED**.

2. It is hereby **ORDERED** that Movant's 28 U.S.C. § 2255 Petition (ECF No. 538) is **DENIED** without prejudice to petitioner's right to pursue whatever relief may be available under § 2255(h).
3. It is **ORDERED** that a certificate of appealability shall not issue in the event the Movant files a notice of appeal because there is no substantial showing of the denial of a constitutional right within the meaning of 28 U.S.C. § 2253(c).
4. In the event that Movant's letter was a request for this Court to investigate the Government's files to see if any plea offers were ever made, it is **ORDERED** that said request is **DENIED** because this Court has no authority to conduct such discovery on Movant's behalf.

/s/George Z. Singal

U.S. District Judge

Dated this 22nd day of June, 2012.